

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
NORFOLK DIVISION**

|                                  |                    |                                |
|----------------------------------|--------------------|--------------------------------|
| <b>Caron Nazario</b>             | :                  |                                |
|                                  | :                  |                                |
|                                  | <i>Plaintiff,</i>  |                                |
| v.                               | :                  | Civil Action No. 2:21-cv-00169 |
|                                  | :                  |                                |
| <b>Joe Gutierrez,</b>            | :                  | JURY DEMANDED BY               |
| <i>In his personal capacity</i>  | :                  | PLAINTIFF                      |
|                                  | :                  |                                |
| and                              | :                  |                                |
| <b>Daniel Crocker</b>            | :                  |                                |
| <i>In his personal capacity,</i> | :                  |                                |
|                                  | :                  |                                |
|                                  | <i>Defendants.</i> |                                |

**DEFENDANT DANIEL CROCKER’S MOTION IN LIMINE TO EXCLUDE  
REFERENCES TO METALLICA “RIDE THE LIGHTNING” ALBUM  
AND TITLE TRACK**

NOW COMES Defendant, Daniel Crocker (“Crocker”), by counsel, and move this Court to exclude references to Metallica’s “Ride the Lightning” album, title track, and/or song lyrics as irrelevant, non-probative and prejudicial evidence for the reasons set forth in the accompanying memorandum of law. A proposed Order is attached as Exhibit A.

Respectfully submitted this 14<sup>th</sup> day of November, 2022.

**DANIEL CROCKER**

By: /s/ Anne C. Lahren

Robert L. Samuel, Jr., Esq.  
Virginia State Bar No. 18605  
**Pender & Coward, P.C.**  
222 Central Park Avenue, Suite 400  
Virginia Beach, VA 23462-3026  
(757) 502-7338 – Telephone  
(757) 497-1914 – Facsimile  
Email: [rsamuel@pendercoward.com](mailto:rsamuel@pendercoward.com)  
*Counsel for Daniel Crocker*

Richard H. Matthews, Esq.  
Virginia State Bar No. 16318

***Pender & Coward, P.C.***

222 Central Park Avenue, Suite 400  
Virginia Beach, VA 23462-3026  
(757) 490-6256 – Telephone  
(757) 497-1914 – Facsimile  
Email: [rmatthew@pendercoward.com](mailto:rmatthew@pendercoward.com)  
*Counsel for Daniel Crocker*

Anne C. Lahren, Esq.  
Virginia State Bar No. 73125

***Pender & Coward, P.C.***

222 Central Park Avenue, Suite 400  
Virginia Beach, VA 23462-3026  
(757) 490-6293 – Telephone  
(757) 497-1914 – Facsimile  
E-Mail: [alahren@pendercoward.com](mailto:alahren@pendercoward.com)  
*Counsel for Daniel Crocker*

Bryan S. Peeples, Esq.  
Virginia State Bar No. 93709

***Pender & Coward, P.C.***

222 Central Park Avenue, Suite 400  
Virginia Beach, VA 23462-3026  
(757) 490-6283 – Telephone  
(757) 5020-7380 – Facsimile  
E-Mail: [bpeeples@pendercoward.com](mailto:bpeeples@pendercoward.com)  
*Counsel for Daniel Crocker*

**CERTIFICATE OF SERVICE**

I hereby certify that on this the 14<sup>th</sup> day of November, I will electronically file the foregoing *MOTION IN LIMINE* with the Clerk of Court using the CM/ECF system, which will then notification of such electronic filing (NEF) to the following:

Jonathan M. Arthur, Esq (VSB# 86323)  
[j.arthur@robertslaw.org](mailto:j.arthur@robertslaw.org)  
Thomas H. Roberts, Esq. (VSB# 26014)  
[Tom.roberts@robertslaw.org](mailto:Tom.roberts@robertslaw.org)  
Andrew T. Bodoh, Esq. (VSB# 80143)  
[Andrew.bodoh@robertslaw.org](mailto:Andrew.bodoh@robertslaw.org)  
15 South First Street  
Richmond, VA 23219  
(804) 991-4308 (Direct)  
(804) 783-2000 (Firm)  
(804) 783-2105 (Fax)  
*Counsel for the Plaintiff*

John B. Mumford, Jr. (VSB No. 38764)

Coreen A. Silverman (VSB No. 43873)  
Jessica A. Swauger (VSB No. 89612)  
HANCOCK, DANIEL & JOHNSON, P.C.  
4701 Cox Road, Suite 400  
Glen Allen, Virginia 23060  
Telephone: (804) 967-9604  
Facsimile: (804) 967-9888  
[jmumford@hancockdaniel.com](mailto:jmumford@hancockdaniel.com)  
[csilverman@hancockdaniel.com](mailto:csilverman@hancockdaniel.com)  
*Counsel for Defendant Joe Gutierrez*

/s/ Anne C. Lahren  
Anne C. Lahren, Esq.  
Virginia State Bar No. 73125  
***Pender & Coward, P.C.***  
222 Central Park Avenue, Suite 400  
Virginia Beach, VA 23462-3026  
(757) 490-6293 – Telephone  
(757) 502-7370 – Facsimile  
Email: [alahren@pendercoward.com](mailto:alahren@pendercoward.com)  
*Counsel for Daniel Crocker*